

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

CERTAIN UNDERWRITERS AT LLOYD'S, LONDON  
subscribing to Policy 200-451-8464,

Plaintiffs

v.

ARTHUR W. JOHNSTON and ANNIE J. JOHNSTON,

Defendants

Civil No. 96-1968(CCC)

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ARTHUR W. JOHNSTON and ANNIE J. JOHNSTON,

Counterclaimants,

v.

CERTAIN UNDERWRITERS AT LLOYD'S, LONDON  
subscribing to Policy 200-451-8464,

Counterdefendants

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ORDER

Having considered plaintiffs' request for attorneys' fees (D.E. #98 and #102), as well as defendants' opposition (D.E. #100 and #105), and after having examined the record, plaintiffs' request is DENIED. This magistrate is not convinced that defendants acted in a vexatious manner. The fact that defendants did not have a strong case does not justify a finding of bad faith or temerity to warrant the imposition of attorneys' fees.

Costs are to be assessed by the Clerk.

IT IS SO ORDERED.

San Juan, Puerto Rico, October 25, 1999.

*s/c: P. Calvesbert*  
*J. Baquer*  
*S. Goldman*

OCT 27 1999

*WB*

*[Signature]*  
J. ANTONIO CASTELLANOS  
UNITED STATES MAGISTRATE JUDGE

RECD. TO JUDGE  
OCT 27 1999  
*WB* 106

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U.S. DISTRICT COURT  
SAN JUAN, P.R.